

AMENDED IN ASSEMBLY MAY 7, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 445

Introduced by Assembly Member Vargas
(Coauthors: Assembly Members Maze, Mullin, and Koretz)
(Coauthor: Senator Alpert)

February 14, 2003

An act to add *and repeal* Article 6 (commencing with Section 4998.90) ~~to~~ of Chapter 14 of Division 2 of the Business and Professions Code, relating to social workers.

LEGISLATIVE COUNSEL'S DIGEST

AB 445, as amended, Vargas. Social workers.

Existing law defines an approved school of social work to mean a school that is accredited by the Commission on Accreditation of the Council on Social Work Education.

This bill would require that, on or after January 1, ~~2004~~ 2006, only an individual who possesses a degree from an approved school of social work, or from an institution that is in candidacy status, as determined by the Council on Social Work Education, may use the designation “social worker.” The bill would specify *certain exceptions, including* that a graduate of a school in candidacy status, as determined by the Council on Social Work Education, may ~~not use the designation~~ *be designated* “social worker” if the school fails to achieve accreditation from the council. The bill would also specify that it shall not be construed to apply to an individual who is classified by his or her employer as a “social worker” if the individual holds this designation prior to January 1, 2004, and is continuously classified as a “social

worker” subsequent to that date, or to an individual who is a graduate of a foreign school of social work. The bill would make legislative findings and declarations regarding social workers. *The bill would specify that its provisions would become inoperative on July 1, 2009, and be repealed on January 1, 2010.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Social work is a 105 year old worldwide profession that
4 deals with the critical aspects of the state’s most vulnerable
5 consumers, including abused, addicted, mentally ill, and disabled
6 adults and children, who have the right to expect that a person with
7 the title of social worker has the appropriate training, experience,
8 and education.

9 (b) There is ambiguity and sometimes a critical lack of care
10 because consumers are unaware that they are receiving services
11 from a professionally trained and educated social worker.

12 (c) A social worker possesses a specific body of professional
13 knowledge, training, and experience that is gained when the social
14 worker acquires his or her social work degree.

15 (d) A social work degree is based on scientific theory and
16 evidence-based practice.

17 (e) A minimum competency standard is necessary so that a
18 social worker fulfills his or her obligations.

19 (f) It is key that a consumer and provider have clarity about a
20 social worker’s responsibilities.

21 (g) While this legislation protects the title of social worker, it
22 does not limit any other health care or social service title.

23 (h) The public confidence and the consumer’s security are
24 paramount, and protecting the social worker title is critical to
25 successful social work for individuals, families, and communities.

26 (i) It is vital that a consumer that seeks or receives social work
27 services recognizes that he or she is obtaining the full benefit of a
28 professional social worker.



SEC. 2. Article 6 (commencing with Section 4998.90) is added to Chapter 14 of Division 2 of the Business and Professions Code, to read:

Article 6. Use of the Designation “Social Worker”

4998.90. (a) Except as provided in subdivisions ~~(e)~~ (b), (c), and (d), on or after January 1, ~~2004~~ 2006, only an individual who possesses a degree from an approved school of social work, as defined in Section 4990.4, or from an institution that is in candidacy status, as determined by the Council on Social Work Education, may be designated a “social worker.”

(b) A graduate of a school in candidacy status, as determined by the Council on Social Work Education ~~may not~~, *or that was in candidacy status at the time the graduate began attending the school, may be designated a “social worker”* if the school fails to achieve accreditation from the council.

(c) This article shall not be construed to apply to an individual who is classified by his or her employer as a “social worker” if the individual holds this designation prior to January 1, 2004, and is continuously classified as a “social worker” subsequent to that date.

(d) This article shall not be construed to apply to a graduate of a foreign school of social work.

(e) Notwithstanding Section 4996.12, a violation of this article is not a crime. It is the intent of the Legislature that this article impose no new duties or responsibilities on the board.

(f) This section shall become inoperative on July 1, 2009, and, as of January 1, 2010, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 2010, deletes or extends the dates on which it becomes inoperative and is repealed.